

DECLARATION

I, Andreas Winter, state that I am resident of Taunusblick 10, 81479 Glashütten, Federal Republic of Germany; that I am a citizen of the Federal Republic of Germany; that I am a chemist having graduated at the University of Konstanz, Federal Republic of Germany, with the doctor's degree; that I am acquainted with the subject matter of U.S. Application Ser. No. 08/324,260 filed by Andreas Winter, Jürgen Rohrmann, Martin Antberg, Volker Dolle and Walter Spaleck for METALLOCENES CONTAINING LIGANDS OF 2-SUBSTITUTED INDENYL DERIVATIVES, PROCESS FOR THEIR PREPARATION, AND THEIR USE AS CATALYSTS; that I consider myself qualified by my knowledge of chemistry and specially of the polymerization of olefins by metallocene catalysis and by my 10 years' experience in this field; that I am an inventor of more than 50 US-patents and patent applications in the field of metallocene catalysis, that I have made the following experiments and observations to wit:

Comparison Example A of US 08/324,260 was repeated with the only difference that, instead of dimethylsilyl(2-methyl-1-indenyl)₂ zirconiumdichloride the same amount of dimethylsilyl(3-methyl-1-indenyl)₂ zirconiumdichloride was used. The polymer that was obtained had no melting point and $n_{D^2} = 2.4$. This clearly shows that the results obtained in US 08/324,260 are unexpected and superior.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issuing thereon.

Handwritten signature
this 14th day of February

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